

**MINUTES**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**REGULAR QUARTERLY BOARD MEETING**  
**1917 SOUTH INTERSTATE 35**  
**AUSTIN, TX 78741**  
**AUGUST 16, 2012 – 10:30 AM**

**Call to Order.** G. Kemble Bennett, Ph.D., P.E., Chair, called the Regular Quarterly Board meeting of the Texas Board of Professional Engineers (TBPE) to order at 10:34 a.m. on August 16, 2012, at the Texas Board of Professional Engineers, 1917 South Interstate 35, Austin, TX. (NOTE: All votes are unanimous, unless noted otherwise.)

**1. Roll Call and Welcome Visitors.**

G. Kemble Bennett, Ph.D., P.E.	Chair
Daniel Wong, Ph.D., P.E.	Vice Chair
Edward L. Summers, Ph.D.	Treasurer
Lamberto "Bobby" Balli, P.E.	Member
James "Jim" Greer, P.E.	Member
Sockalingam "Sam" Kannappan, P.E.	Member
Gary Raba, D.Eng, P.E.	Member
Elvira Reyna	Public Member

A quorum was present. Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel. Also present were Emeritus Board Members: Mr. Edmundo Gonzalez, P.E., Jose I. Guerra, P.E., and Govind Nadkarni, P.E.

**The following staff members were present:**

Lance Kinney, P.E.	Executive Director
Priscilla Pipho, MPA	Deputy Executive Director
C.W. Clark, P.E.	Director of Compliance & Enforcement
David L. Howell, P.E.	Director of Licensing
Jeff Mutscher	Director of Finance
Dewey Helmcamp, III JD	Staff Attorney
Dorothy Gonzales	Executive Assistant

**Visitors.** Peyton McKnight, American Council of Engineering Companies - Texas (ACEC- Texas); Terry Sams, Texas Department of Transportation (TxDOT); Terry Bilderback, P.E., Texas Society of Professional Engineers (TSPE); Jennifer, McEwan, TSPE; Christopher Barber; Steven Ogle, Sunset Advisory Commission (Sunset); Joe Walraven, Sunset; Faye Rencher, Sunset; Carol Hemphill; Ron Hemphill.

Agenda items #3 and #4 were taken out of order, see below.

**2. Public Comment.**

Mrs. Carol Hemphill addressed the Board and read some of the contents of the 2002 Sunset Commission's recommendation and the 2011 TBPE Self Evaluation. She shared with the Board that she feels she has been caused considerable harm by the action of a licensed engineer and further damaged by the actions and practice of the Board. Mrs. Hemphill stated that she believes that the Board licensed an unqualified engineer. Mrs. Hemphill shared her personal opinion and concerns regarding the complaint process of the Board. Mrs. Hemphill claimed that she submitted an open record request, and to date, has not received any information; and she has not been allowed to speak to the open records administrator. She opined that the staff attorney has not treated her or her family with respect. She also believes that the Board has not taken into consideration the health, safety, and welfare of the public.

Chair took agenda item #27 out of order, see below.

3. **Welcome new Board member.**

Dr. Bennett welcomed Mr. Sockalingam “Sam” Kannappan, P.E. He was appointed by Governor Perry to serve on the Board for a six-year term.

4. **Consent Agenda.**

**(The following items may be acted upon under Consent Agenda and are marked with an asterisk\* on the Regular Quarterly Board Meeting Agenda)**

*(Motion)*

- May 23, 2012, Licensing Committee Minutes
- May 24, 2012, Policy Advisory Opinion Committee Minutes
- May 24, 2012, Enforcement Committee Minutes
- May 24, 2012, General Issues Committee Minutes
- May 24, 2012, Regular Quarterly Board Meeting Minutes
- Administrative Reports and Outstanding Administrative Penalties and Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments
- Licensing Applications.

It was MOVED/SECONDED (Ballí/Wong) to approve the consent agenda. A vote was taken and the MOTION PASSED.

Dr. Bennett returned to agenda item #2, public comment.

**Discuss and Possibly Approve Board Minutes:**

5. **\*(Consent Agenda)** Discuss and possibly approve minutes of the May 24, 2012, Regular Quarterly Board Meeting Minutes

**Discuss and Possibly Accept Committee Minutes:**

6. **\*(Consent Agenda)** May 23, 2012, Licensing Committee Minutes
7. **\*(Consent Agenda)** May 24, 2012, Policy Advisory Opinion Committee Minutes
8. **\*(Consent Agenda)** May 24, 2012, Enforcement Committee Minutes
9. **\*(Consent Agenda)** May 24, 2012, General Issues Committee Minutes

Agenda items 5-9 were approved under the consent agenda.

**Discuss and Possibly Act on the following agenda items (10-13):**

10. **Board Members' Activity Reports.**

11. **Emeritus Members' Activity Reports.**

Dr. Bennett commented that both the Board and Emeritus members' activity reports are included for review.

12. **Budget.**

• **FY12 3<sup>rd</sup> Quarter Budget Report.**

Mr. Mutscher reviewed the 3<sup>rd</sup> quarter budget report exhibit with the Board members.

• **FY13 Budget Adoption.**

Mr. Mutscher reviewed the FY2013 budget exhibit with the Board members, and asked for approval of the FY13 budget.

Dr. Raba recommended that the executive director and chair discuss the maintenance of the building. He added that it could be updated from floor to ceiling. Mr. Mutscher added that he can add monies to the budget if the Board directs staff to update the building. The Board generally agreed that the building needs updating/renovation and directed the Executive Director and staff look into the issue and present a prioritized proposal to the Board for consideration.

It was MOVED/SECONDED (Raba/Ballí) to approve the FY2013 budget as presented. A vote was taken and the MOTION PASSED.

Agenda item #19 was taken out of order, see below.

**13. Personnel Matters—this agenda item will be considered under executive session as authorized under Government Code §551.074.**

- Executive Director—Annual Review

The Chair called the meeting into executive session at 11:58 am in accordance with Government Code §551.074.

The Chair reconvened the meeting at 12:40 pm.

He reported that the Board did not take any action during the executive session.

It was MOVED/SECONDED (Summers/Greer) to approve a pay increase for the Executive Director. A vote was taken and the MOTION PASSED.

**Discuss and Possibly Act on Issues Regarding Committee Reports or Items on the Committee Agendas:**

**14. Policy Advisory Opinion Committee.**

- Engineering Advisory Opinion Request
  - **Discuss and possibly approve EAOR #31 – Designated Engineering Representative (DER) with response from Attorney General Opinion GA0955.**

Mr. Ballí reported that this is regarding the FAA's designation of a DER. The Board requested an Attorney General Opinion to clarify if this was federal work that the DER was providing and if a DER would be exempt from the Texas Engineering Practice Act. The OAG Opinion opined that while serving in that capacity, the DER does not have to be a licensed professional engineer. The Committee was in agreement with the AG's opinion.

It was MOVED/SECONDED (Ballí/Reyna) to approve the EAOR#31 with the response from the Attorney General Opinion GA0955. A vote was taken and the MOTION PASSED.

- **Update on EAOR # 33 – Direct Supervision.**

Mr. Ballí stated that this was an update only and no action was required.
- **Discuss and possibly approve recommend changes to PAO 21 - Manufactured Buildings to comply with HB2284.**

Mr. Ballí reported that this opinion was revised to align with HB2284. The Committee recommends approval and then the revision be forwarded to the City of San Angelo.

It was MOVED/SECONDED (Ballí/Kannappan) to approve the changes to PAO21 as submitted by staff, and mail the response letter to the City of San Angelo. A vote was taken and the MOTION PASSED.

**15. Legislative Committee.**

- **Discuss, review, and possibly act on the Legislative Committee role and responsibilities.**

Mr. Greer reported that the Committee reviewed its role and responsibilities in accordance with §131.15. The committee is to provide resource and recommendations as needed. Ms. Mohan was directed to research and provide the Committee for appropriate communication between members.
- **Upcoming Legislation.**

Mr. Kinney gave a review of the last legislative session. The Engineer/Architect Task Force has met once and is scheduled to meet again. The Windstorm roster application process is working well. TBPE has done their part in this process, and TDI is working on rule changes. There is great communication between the two agencies. Sunset Review is also in process which will involve a bill presented during this Legislative session.

Mr. Kinney reported that he has been contacted by the Structural Engineers Society of Texas, SEAoT and will continue to talk to address their issues.

Dr. Bennett asked if the process related to the engineer exception list with TBAE has been closed. Mr. Kinney responded that he or David Howell attended all the meetings, and the list has been closed. The process was fair, and TBAE approved people that were qualified. Mr. Kinney reported that there were 21 approved out of the 78 applicants. Dr. Bennett commented that he was glad to hear this hurdle has been cleared.

#### 16. Enforcement Committee.

- **Discuss and possibly act on the following rule adoptions:**
  - **Chapter 137: Compliance and Professionalism.**
    - **§137.17 Continuing Education Program.** Dr. Raba commented that this rule change addresses that all continuing education requirements have been satisfied within §137.17. One comment was received, and it was in favor of the change.
  - **Chapter 139: Enforcement.**
    - **§139.13 Filing a Complaint.** Dr. Raba reported that this change adds contact information as to where and who the complaint needs to be addressed.
    - **§139.35 Sanctions and Penalties.** Dr. Raba reported that this change is regarding architectural barriers, and that the correct documents must be given to the Texas Department of Licensing and Regulation (TDLR) and Registered Accessibility Specialist in a timely manner. The rule also added the sanctions and penalties that go along with this requirement to the sanction tables.

It was MOVED/SECONDED (Raba/Ballí) to approve the Enforcement Committee's recommendation to adopt §§137.17, 139.13, 139.35 as submitted. A vote was taken and the MOTION PASSED.

- **Discuss and possibly act on the following rule proposals:**
  - **§137.7 License Expiration and Renewal.** Dr. Raba reported that this rule states that an the applicant will not be able to renew their license if there are any outstanding debts or outstanding administrative fees owed.
  - **§137.31 Seal Specifications.** Dr. Raba stated that this rule changes the seal requirements and defines the seal specifications to be no more than 2 inches in size, including electronic seals.
  - **§137.37 Sealing Misconduct.** Dr. Raba reported that this rule provides a clear path for the Board to enforce against someone using a deceased engineer's seal.
  - **§137.65 Action in Another Jurisdiction.** Dr. Raba reported that this rule clarifies enforcement actions in cases where a Texas licensed engineer is practicing in another state, and violates that states law or rules; the Texas Board may also discipline that engineer.

It was MOVED/SECONDED (Raba/Ballí) to approve §§137.7, 131.31, 137.37, 137.65 to be posted in the Texas Register as submitted. A vote was taken and the MOTION PASSED.

- **Discuss, consider, and possibly act on decision resulting from SOAH case and Final Order for the following cases:**
  - D-31480; Raghnuath Dass, P.E.
  - B-33004; Bryan Hull

Dr. Raba reported that the cases mentioned above have been in the system for a while. The paperwork is included as an exhibit. The first one was a \$4, 000 administrative penalty; the second one a \$2,750 administrative penalty.

It was MOVED/SECONDED (Raba/Reyna) to approve the final order for Mr. Raghnuath Dass, P.E., and Mr. Bryan Hull as presented to the Board. A vote was taken and the MOTION PASSED. Mr. Greer recused himself from voting on Mr. Dass' action.

- **Staff Attorney Reports.**

Dr. Raba commented that the SOAH cases are up to date.

**17. General Issues Committee.**

- Discuss and possibly act on the following rule adoption(s).
  - Chapter 131: Organization and Administration
  - § 131.53 – Minutes. Dr. Wong reported that the change to this rule is to comply with the Board's record retention policy. There were no comments received.

It was MOVED/SECONDED (Wong/Ballí) to adopt §131.53-Minutes as presented to the Board. A vote was taken and the MOTION PASSED.

**18. Nominating Committee.**

- Nomination of Officers for FY13

Dr. Bennett reported that the Nominating Committee met to discuss candidates for officers for FY13. The Committee makes the following recommendation:

Mr. James "Jim" Greer, P.E.	Vice Chair
Dr. Daniel O. Wong, P.E.	Secretary
Dr. Edward L. Summers	Treasurer

It was MOVED/SECONDED (Raba/Ballí) to approve the FY13 TBPE officers as mentioned above. A vote was taken and the MOTION PASSED.

**19. Licensing Committee.**

- Personal Appearances from Licensing Applicants

Mr. Greer reported that there were 15 applicants that appeared before the Committee. The Committee took various actions. One particular application had unique circumstances which the Committee unanimously agreed to refer to the full Board.

Mr. Greer introduced Mr. Barber and asked him to come forward. He added that Mr. Barber has been very patient with the process. Mr. Howell reported that Mr. Barber applied for licensure in Texas by waiver of both exams based on his current licensure in Arizona. He was licensed in Arizona based on education and licensure in the United Kingdom. When he applied in Texas, his application was reviewed, but under current Texas rules and procedures, he did not meet the education qualifications because he could not provide transcripts with grades for individual courses. His application was denied by staff and he appealed that decision and appeared before the Licensing Committee in November 2011. Staff was directed by the committee to do research regarding the education rule requirement. That was completed and was provided as an exhibit. Mr. Barber returned on August 15, 2012, for a response from the committee. Mr. Greer added that Mr. Barber is licensed in the UK, and at some point his education was vetted, and sat through oral exams to be included in the registered charter in the UK. Mr. Greer stated that the Committee brings this forward recognizing that Mr. Barber has many qualifications and staff has worked hard with Mr. Barber to ensure he has full credit for his education. The Board discussed the waiver process through licensure in another jurisdiction but the applicant must still meet the educational

requirements as stated in the Act. Mr. Barber commented that his courses were studied and analyzed to ensure accreditation. Course by course studies were not analyzed independently, therefore transcripts were not available at the time Mr. Barber attended school. They have since change the process to do that. In 1989, the Washington Accord stated that there was equivalency between the accreditation process in the UK and ABET. The staff has verified that the B.S. degree was granted. Mr. Barber explained the UK process granting him a license. Dr. Bennett asked Mr. Greer for the Licensing Committee's discussion. Mr. Greer commented that the Committee could not see a path forward other than to allow Mr. Barber to sit for the PE exam but there was not a path forward for waiving the exam. The Committee strongly agreed that they would seek the other Board members' opinions and weigh in on Mr. Barber's education and experience. Dr. Bennett asked Mr. Nadkarni to share his experience. Mr. Nadkarni described his foreign degree accreditation and how he got licensed in Texas; and Mr. Kannappan also shared his experience getting licensed with a foreign degree. Mr. Ballí added that Mr. Barber has tremendous experience, and the issue is trying to confirm his education which is a requirement by the Act.

It was MOVED/SECONDED (Summers/Greer) to approve Mr. Christopher Barber to be licensed in Texas by waiver of both exams. A vote was taken and the MOTION PASSED 5 to 2; Dr. Wong and Mr. Kannappan voted against the motion; Dr. Bennett abstained from voting.

Mr. Greer reported that each of the following personal appearance had an extensive dialogue during the interview process.

It was MOVED/SECONDED (Greer/Ballí) to approve the Licensing Committee's recommendation for Joshua Baker, James Buckner, Jonathan Cullor, Sabino Diaz, Dorice Griffin, Brian Hartsell, Michael Meals, Zachary Munstermann, Daniel Nichols, and Denny Wong. Ms. Griffin's application included a waiver of the FE exam. Mr. Buckner and Mr. Cullor were approved for licensure. All others were approved to take the PE exam. A vote was taken and the MOTION PASSED.

It was MOVED/SECONDED (Greer/Raba) to approve the Licensing Committee's recommendation to allow Ryan M. Delmotte, to take the PE exam in April 2013, upon successful completion of all court requirements be submitted to Mr. Howell. A vote was taken and the MOTION PASSED.

It was MOVED/SECONDED (Greer/Raba) to approve the Licensing Committee's recommendation to hold Mr. Ryan Henkensiefken's application for one year and have him re-appear before the Committee, and to hold Mr. Emile Lang's application for one year, require him to successfully complete a 30 hour ethics course through the National Institute of Engineering Ethics at Texas Tech, and re-appear before the Committee after all mentioned requirements have been met. A vote was taken and the MOTION PASSED.

It was MOVED/SECONDED (Greer/Summers) to approve the Licensing Committee's recommendation to deny Mr. Larry Fabian's application to take the PE exam. A vote was taken and the MOTION PASSED.

- **Discuss and possibly act on the following rule adoption(s):**
  - **Subchapter F: Administration.**
    - **§131.81—Definitions.**
  - **Chapter 133: Licensing.**
    - **§133.21 – Applications for Standard License.**
    - **§133.23 – Applications from Former Standard License Holders.**
    - **§133.27 – Application for Temporary License for Engineers Currently Licensed Outside the United States.**
    - **§133.31—Educational Requirement for Applicants.**
    - **§133.33—Proof of Educational Qualifications-Non-Accredited/Non-Approved Programs.**
    - **§133.61 – Engineering Examinations required for a License to Practice as a Professional Engineer.**

- **§133.65—Examination on the Fundamentals of Engineering.**

Mr. Greer reported that §§131.81, 133.23, 133.27, 133.31, 133.33, 133.61, 133.65 are being considered for adoption. The rules were posted in the Texas register for comment, no comments received. The committee recommended adoption of the rules.

It was MOVED/SECONDED (Greer/Ballí) to adopt §§131.81, 133.23, 133.27, 133.31, 133.33, 133.61, 133.65 as published. A vote was taken and the MOTION PASSED.

Mr. Greer mentioned that comments were received regarding §133.21. Mr. Howell reported that the change in the rule was to take out the Test of Spoken English which no longer exists. In fixing the rule, the new internet-based version of the Test of English as a Foreign Language (TOEFL) was added with the passing score at 70%. The comment received was that based on current rule requirements, the proposed change would be a reduction in the requirements for foreign applicants. In response to the comment, rule wording was revised to retain the historical scores and scale up the required score for the internet-based test to the same level. The changes were discussed with legal counsel and the change can be made without having to repost the rule.

It was MOVED/SECONDED (Greer/Ballí) to adopt §133.21, with the adjusted language. A vote was taken and the MOTION PASSED.

Mr. Greer mentioned that Mr. Howell's reports are enclosed as exhibits for the Board to review.

Dr. Bennett commented that the staff did the appropriate analysis with regards to Mr. Barber. He commends that staff for the professional manner in handling Mr. Barber's application.

Dr. Bennett went back to the agenda, see agenda item #13 above.

## **Discuss and Possibly Act on Reports or Items reported by the Executive Director:**

### **20. Executive Director's Report.**

- **Activity Report.** Mr. Kinney commented that his activity report was included, and he will answer any questions or discuss further if needed.
- **Continuation of Emeritus Members' Contract.** Mr. Kinney reported that annual contracts for the Emeritus Members were due for review and approval. He added that a report from each of the Emeritus members was included for the Board's review. He asked for approval from the Board for the FY13 Emeritus Members' Contract for Edmundo Gonzalez, Jr. P.E., Jose I. Guerra, P.E., and Govind Nadkarni, P.E.

It was MOVED/SECONDED (Raba/Ballí) to approve the Emeritus Members' contract for FY13. A vote was taken and the MOTION PASSED.

The Board members thanked the Emeritus members for keeping involved with the Board.

- **Engineers & Architects update.** Mr. Kinney reported that the TBPE/TBAE Task Force met June 12, 2012, in San Antonio to discuss issues addressed in HB2284. The meeting was very successful. The next meeting is scheduled on September 25, 2012, in Austin.
- **Windstorm Update.** Mr. Kinney reported that TBPE staff has continued to accept and review applications for PEs that want to do Windstorm inspections. The Roster of Qualified Windstorm Engineers is posted on the TBPE website. Texas Department of Insurance (TDI) staff is working on changing their rules to address windstorm inspection qualifications, and will appoint Qualified Windstorm Inspectors from the TBPE Roster.

- **NCEES Annual August 2012 Meeting-Motions.** Mr. Kinney reported that the motions that will be addressed at the NCEES annual meeting are included as an exhibit. He added that the Board staff had a workshop with Board members that will be attending the meeting to discuss the motions. The biggest motion to keep up with is Computer Based Training (CBT) is moving forward. Dr. Raba commended the staff for having this workshop. He added that he encouraged everyone to attend at least one meeting. Dr. Bennett thanked and commended Mr. Kinney for all his hard work and participation with the NCEES workgroups.
- **ABET Visits.** Mr. Kinney reported that an invitation had been sent out to Board members inviting them to participate in upcoming ABET visits. If anyone is still interested, please let him or Ms. Gonzales know.
- **Journey Toward Excellence.**
  - **Strategic Plan.** Mr. Kinney reported that the agency's strategic plan is complete, and has been submitted accordingly; the next phase is the implementation phase.
  - **Strategic Implementation.** The agency has taken steps to implement the agency's strategic plan. The agency has been divided into teams and assigned to projects that will address all parts of the strategic plan. „
  - **Texas Award for Performance Excellence.** Mr. Kinney shared with the Board members that the agency has been recognized for the second time by Quality Texas Award for the Commitment Level of the Texas Award for Performance Excellence (TAPE). The TAPE award is a part of the agency's continued path on a Journey Toward Excellence. The program follows the Malcolm Baldrige Criteria for Performance Excellence. Mr. Kinney commended staff and thanked them for their participation.
  - **Customer Service Report.** The agency completed and submitted the Customer Service Report and it is included as an exhibit.
- **Sunset Review Update.** Mrs. Pipho reported that the agency is going through Sunset Review. A schedule of the process is included as an exhibit. Mrs. Pipho asked the Board members to introduce themselves to the Sunset Review Team, if they haven't already. She added that agency staff has done a good job with coordinating data for the team.
- **Outreach.** Mr. Kinney reported that the outreach report was included as an exhibit. He thanked all the presenters for their making all these presentations. This year we exceeded the number of presentations done by personnel, emeritus, and board members. He also added that kudos letters are also included. Mr. Kinney added that next year the staff is looking at doing this better and more efficiently. Mr. Kannappan encouraged staff to consider working on increasing women in engineering. Dr. Bennett added that engineers respond better to peers of their same age. Dr. Wong added that high schools would be a good start.

Mr. Kinney asked Mr. Clark to introduce the newest investigator. Mr. Clark introduced Virginia Alayon, who is an internal applicant and had the qualifications that Compliance and Enforcement division was looking for.

#### **Discuss and Possibly Act on Enforcement/Disciplinary Matters:**

21. **\*(Consent Agenda) Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments.**
  - Central Heights Independent School District

Agenda item #21 was approved under the consent agenda, see agenda item #3.

#### **22. Agreed Board Order.**

1. Richard F. Keelan, P.E. - D-33067 (Reyna).

Mr. Clark reported that the Agreed Board Order is included as an exhibit. He asked for the Board's approval.

It was MOVED/SECONDED (Summers/Ballí) to approve the Agreed Board Orders as submitted. A vote was taken, and the MOTION PASSED with 7 for and Mrs. Reyna abstained from voting.

**23. Consent Orders.**

SOAH Result

(None)

Informal Reprimands (In accordance with Board Rule 139.31(b) individual names are not listed)

2. D-33565
3. D-32968
4. D-33328
5. D-33564
6. D-33566
7. D-32988
8. D-33568

Practice Violations

9. Rickey Lee Hamm – D-33477
10. Floyd Ottis Lee, P.E. – D-32943
11. Charles F. Stark, P.E. – D-33509
12. Christina L. Virgilio, P.E.—D-33363

Non-Practice Violations

13. Michael Hackebeil, P.E. – D-33615

Sanctions Against Non-License Holders

14. Timothy P. Cussen - B-33303
15. Larry Williams - B-33302

Firm Registrations/Sole Proprietorship Sanctions

16. H.N.G. Consultants – B-33301

Mr. Clark reviewed the Consent Orders with the Board members which were included as exhibits. Mr. Clark asked for the Board's approval on the Consent Orders.

It was MOTIONED/SECONDED (Ballí/Summers) to approve the Consent Orders as submitted. A vote was taken and the MOTION PASSED.

**Discuss and Possibly Act on Licensing Applications Requiring Board Ruling:**

**24. \*(Consent Agenda) Licensing Applications.**

Vote or Reconfirm Votes Pursuant to Board Rule §133.87:

Approved for Licensure  
Not Approved for Licensure  
Waivers – Both  
Waivers – FE  
Waivers—PE  
Approved for Exams  
Exams not Approved  
Firms Approved

Agenda item #24 was approved under the consent agenda, see agenda item #3.

**Discuss and Possibly Act on Other Matters**

**25. Issues from Board members for future meetings.**

Update on Mrs. Hemphill's concern addressed during her public comment.

26. **Future TBPE meeting dates.**

November board meetings are scheduled on November 28-29, 2012. Board members will receive a matrix for the November Board meetings.

27. **Recognition of Board member Govind Nadkarni, P.E.**

Mr. Luis Moreno, Chief of Staff, Representative Hinojosa presented a proclamation to Mr. Nadkarni for his service to the state of Texas and the Board. Mr. Nadkarni and the Board thanked Representative Hinojosa's staff and office for the acknowledgement.

The Board recognized Mr. Nadkarni for over 12 years of service to the Board. Mr. Kinney presented Mr. Nadkarni with a resolution from the Board, certificate from Governor Rick Perry, two Texas flags flown over the capitol, one on behalf of the Board, the second on behalf of the Honorable Jeff Hunter, and a certificate from Honorable John Cornyn. Mr. Nadkarni thanked the Board members and staff for all the support during his term on the Board. He also expressed his gratitude for asking him to continue his service as an Emeritus Member.

Chair continued with agenda item, see agenda item #10 above.

**Adjourn.**

It was MOVED/SECONDED (Summers/Raba) to adjourn the meeting at 1:31 pm. A vote was taken and the MOTION PASSED.

Date Board approved as submitted: November 29, 2012